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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,776	03/10/2004	Brad Underwood	200313420-1	4159
22879	7590	06/03/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			LUU, AN T	
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/797,776

Applicant(s)

UNDERWOOD ET AL.

Examiner

An T. Luu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7, 8, 12-18 and 20 is/are rejected.
- 7) ☒ Claim(s) 6, 9-11 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-8, 12-18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by the Doblar reference (U.S. Patent 6,194,969).

Doblar discloses in figures 1 and 2 a distributed redundant control signal distribution system comprising a first control signal source 220A co-located with a first set of control signal (i.e., inputs of MUX on clock board 105A) controlled circuit elements (i.e., components on system board 120, fig.1), at least one second control signal source 220B co-located with a second set of control signal (i.e., inputs of MUX on clock board 105B) controlled circuit elements (i.e., components on system board 120, fig.1); and at least one controller (110 in fig. 1) for providing control signals from said first control signal source to control both said first and second sets of controlled circuit elements; said controller operable for substituting signals from said second control signal source for signals from said first control signal source if said signals from said first control signal source become unavailable to either said first or second circuit elements (See col. 3, lines 12-26) as required by claim 1.

As to claim 2, the control signal sources 220A-B are seen as system clock as disclosed in ABSTRACT of the Patent.

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As to claim 3, fig.2 shows the first and second sets of circuit elements are interconnected by at least two transmission paths (106A; 106B) and wherein said controlling signals travel over both of said transmission paths by means of FANOUT BUFFER.

As to claim 4, fig. 1 and col. 3, lines 27-35 disclose the one controller enables said controlling signals to control both sets of controlled circuit elements even when one of said transmission paths is inoperative.

As to claim 5, it is understood that a MUX is for switching between its inputs. Therefore, it is inherent that the system controller 110 of Doblar comprising a multiplexer for accepting signals on its input from said first and second control signal sources, said multiplexer operable for selecting which one of said control signals controls said controlled circuit elements since col. 3, lines 20-22 disclose the system controller 110 switches between control signal 106A and 106B.

As to claim 7, col. 3, lines 27-35 disclose the MUX (i.e., controller) co-located with the first set of controlled circuit elements.

As to claim 8, the scope of claim is similar to claim 7. Therefore, its is rejected for the same reasons set forth above. It is noted that col. 3, lines 27-35 , indicates that there exists a controller on each board.

As to claims 12-15, they are rejected for reciting method/step derived from the apparatus of claims 1-5 and 7 which are rejected as noted above.

As to claim 16, Doblar discloses in figure 2 a system for controlling clock signals for a plurality of electronic boards comprising a clock source (220A or 220B) on at least two of said electronic boards (105A and 105B); at least one signal (106A or 106B) connection between all of

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said electronic boards, each said signal connection allowing clock signals to pass between said plurality of boards; a controller on each of said boards (col. 3, lines 27-35), said controller operable for hierarchically selecting clock signals from at least one of said signal connections (i.e., selecting either master or slave clocks); and wherein said signal controllers on said first and second electronic boards are further operable for hierarchically selecting one or the other of said clock sources (i.e., output of VCXO or OTHER SOURCE CLOCK).

As to claim 17, fig. 1 and col. 3, lines 27-35 disclose the hierarchy is such that said controllers only select the clock source from said second one of said boards when the clock source from said first one of said boards is not available.

As to claim 18, the argument for rejecting claim 5 noted above is also applicable herein.

As to claim 20, it is rejected for reciting method/step derived from the apparatus of claim 21 which is rejected as noted above.

Allowable Subject Matter

3. Claims 6, 9-11 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record fails to disclose an apparatus and method thereof comprising elements being configured as recited in claims. Specifically, none of the prior art teaches or fairly suggests, among other things, the following limitations:

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- The multiplexer has a preset hierarchically control among its respective inputs as required by claim 6.
- At least a third set of control signal controlled circuit elements wherein signals from said first control signal source control said third set of controlled circuit elements, said third set of controlled circuit having co-located therewith a controller for substituting signals from said second control signal source for said signals from said first signal control source if said signals from said first signal control source become unavailable as required by claim 9. And
- The at least one signal connector is a plurality of independent transmission paths; and wherein said controllers accept signals from each of said transmission paths for said hierarchical selection as required by claim 19.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to An T. Luu whose telephone number is 571-272-1746. The examiner can normally be reached on 7:30-5:00.

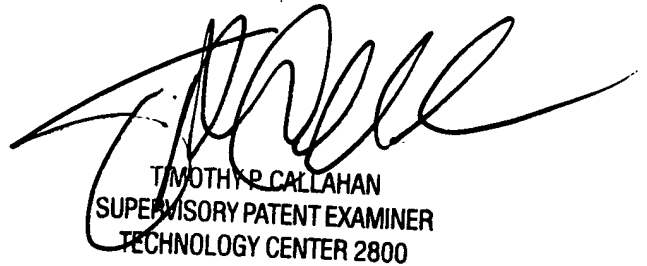
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan can be reached on 571-272-1740. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

An T. Luu

5-25-05 *ATL*


TIMOTHY P. CALLAHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800